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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision : 19.05.2025

Saurav Bansal

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr.D.K.Singal, Advocate for petitioner.

Mr. Japjot Singh, AAG, Punjab.

Dr. Rau P.S.Girwar, Advocate,
Ms. Archana Arora Rau, Advocate and
Ms. K.T.Rau, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Saurav Bansal filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.67 dated 29.11.2019, registered under Sections 498-A, 406 and 34 of IPC, at Police Station Women, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties.

2. As per facts of the case, complainant Dr. Wani Aggarwal filed written complaint against her husband Dr. Saurav Bansal and other members of in-laws family. It is alleged that she being doctor got married with Dr. Saurav

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Bansal on 08.12.2016 at Sangrur. Her parents had given dowry as per the demand of her father-in-law. After two months of marriage, her husband started harassing her and even raised hand on her. There was demand for more dowry and cash amount. She was mentally tortured by her father-in-law, brother-in-law and sister-in-law. During this period she became pregnant. Even then, nobody bothered for her. She was not given proper treatment in her in-laws house. She gave birth to a girl child in Kapila Hospital, Bathinda. Even the girl child was not treated properly. Her father was admitted in hospital, therefore, she came to Bathinda on 21.11.2018. She was told not to come to the matrimonial home. A family meeting took place in Mansa but she was threatened. She has given detail of dowry articles given at the time of marriage and other functions. All valuable articles and gold ornaments were in possession of her husband and father-in-law. Ultimately, present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 21.10.2024, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Bathinda dated 10.01.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Saurav Bansal also confirmed this fact in his separate statement. Statement of ASI Nirmal Singh is also recorded who confirmed that



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petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Bathinda, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled all their claims arisen from matrimonial dispute. They have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.61,00,000/- out of which Rs.15,00,000/- were to be kept in the shape of FDR which the minor will get at the time of majority, Rs.10,00,000/- are already paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.36,00,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and harmony. No purpose would be served with the continuation of criminal proceedings.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings.

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Considering these facts, the petition filed by the petitioner is accepted and FIR No.67 dated 29.11.2019, registered under Sections 498-A, 406 and 34 of IPC, at Police Station Women, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

19.05.2025.*Sunil Devi*

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No